



# COMPLAINT FOR VIOLATION OF THE CAMPAIGN FINANCE AND PUBLIC DISCLOSURE ACT

11-2-8 PM 1:06

CAMPAIGN FINANCE & PUBLIC DISCLOSURE BOARD

All information on this form is private and confidential until a finding is issued by the Board.

### Information about complaint filer

|  |  |
|--|--|
| Name of complaint filer<br><b>Mike Dean</b>      |  |
| Address<br><b>2323 E. Franklin</b>               |  |
| City, state, zip<br><b>Minneapolis, MN 55406</b> | Daytime telephone no.<br><b>612-605-7978</b> |

### Identify person/entity you are complaining about

|  |  |
|--|--|
| Name of person/entity being complained about<br><b>Thomas Prichard</b> |  |
| Address<br><b>2855 Anthony Ln S. Ste 150</b>                           |  |
| City, state, zip<br><b>Minneapolis, MN 55418</b>                       |  |
| Title of respondent (if applicable)                                    |  |
| Board/Department/Agency/District # (if legislator)                     |  |

Signature of person filing complaint

4/8/11

Date

Send completed form to: Campaign Finance & Public Disclosure Board  
Suite 190, Centennial Building  
658 Cedar Street  
St. Paul, MN 55155

If you have questions call: 651/296-1721; 800/657-3889; or  
for TTY/TDD communication contact us through the Minn. Relay Service at 800/627-3529  
Board staff may also be reached by e-mail at: [cf.board@state.mn.us](mailto:cf.board@state.mn.us).

This document is available in alternative formats to individuals with disabilities by calling 651/296-5148; 800/657-3889; or through the Minnesota Relay Service at 800/627-3529.

Give the statute cite of the portion of Chapter 10A, or Minn. Rules you believe has been violated.

10A.04, 10A.25

You will find the complete text of Minn. Stat. §10A and Minn. Rules Chapters 4501 - 4525 on the Board's website at [www.cfboard.state.mn.us](http://www.cfboard.state.mn.us) .

**Nature of complaint**

Explain in detail why you believe the respondent has violated Chapter 10A, the Campaign Finance and Public Disclosure Act. Attach an extra sheet of paper if necessary. Attach any documents, materials, minutes, resolutions or other evidence to support your allegations.

*See attachment*

Minn. Stat. 10A.02, subd 11 - Violations; enforcement.

The board shall investigate any alleged violation filed in writing with the board. For an alleged violation of sections 10A.25 (expenditure limits) or 10A.27 (additional limits) the board shall either enter into a conciliation agreement or make a public finding of whether or not there is probable cause, within 60 days of the filing of the complaint. For alleged violations of all other sections, the board shall within 30 days after the filing of the complaint make a public finding of whether or not there is probable cause to believe a violation has occurred.

The deadline for action may be extended by a majority vote of the board. Within a reasonable time after beginning an investigation of an individual or association, the board shall notify that individual or association of the fact of the investigation. The board shall make no finding without notifying the individual or association of the nature of the allegations and affording an opportunity to answer those allegations.

Any hearing or action of the board concerning a complaint or investigation shall be confidential until the board makes a public finding concerning probable cause or enters into a conciliation agreement.

Except as provided in section 10A.28, after the board makes a public finding of probable cause the board shall report that finding to the appropriate law enforcement authorities.

**COMPLAINT FOR VIOLATION OF  
CAMPAIGN FINANCE AND PUBLIC DISCLOSURE ACT  
SUBMITTED BY COMMON CAUSE MINNESOTA**

Common Cause Minnesota is filing a complaint against Thomas Prichard (Lobbyist #8513) of the Minnesota Family Council for violating Minn. Stat. §10A.04, subd. 4(b)&(d) and Minn. Stat. §10A.25, subd. 2. This complaint alleges that Mr. Prichard filed a false report with the Campaign Finance and Disclosure Board (“CFDB”) by not disclosing at least \$200,000 in television advertising that was spent in support of legislative action in 2010.

**Failure to Disclose Expenditures**

The lobbyist disclosure form clearly requests that lobbyists account for spending on media, the production of lobbyist materials, and postage and distribution of those materials (Minnesota Rules 4511.0600, subpart 5). The report that Mr. Prichard filed on January 18, 2011 failed to report the expenses associated with an advertising campaign that the Minnesota Family Council coordinated with the National Organization for Marriage.

The Minnesota Family Council jointly ran a series of ads supporting legislative action for a constitutional amendment that would ban gay marriage and opposing legislation to “redefine marriage.” On May 18, 2010, the Minnesota Independent<sup>1</sup> ran a story on how the National Organization for Marriage and the Minnesota Family Council were coordinating a \$200,000 media buy on the legislation. In a press release, the National Organization for Marriage “called on elected officials to let the people vote on this critical issue.” This makes it clear that their intent is to influence legislative action because “the people” are only allowed to vote on issues through a constitutional amendment. A visual in one of the television advertisements mentioned specific legislation that was discussed in 2010 (SF 120) and how this legislation is harmful. They then go onto to call for a constitutional amendment to define marriage: “Thirty-one states have already voted to define marriage as being between a man and a woman. It’s time that Minnesotans have that same right,” said Brian Brown, President of the National Organization for Marriage. The full ad can be viewed here:

<http://www.nationformarriage.org/site/apps/nlnet/content2.aspx?c=omL2KeNOLzH&b=5075187&ct=8400289>

The group ran other ads throughout the fall where it made similar statements:

- In a radio ad released around August 17, 2010, the group clearly calls for a constitutional amendment to prohibit gay marriage. The ad states, “Should it be back room politicians and screaming protesters, or should voters decide? Tom Emmer believes that

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<sup>1</sup> <http://minnesotaindependent.com/59036/gathering-storm-group-returns-with-more-anti-gay-marriage-adsln>

Minnesota voters should have the final say on marriage, just as voters in thirty-one other states have done. Mark Dayton and Tom Horner say no vote for Minnesota. Dayton and Horner want your votes but they don't want you to vote on marriage."

- In a television ad released around September 23, 2010, the group has imagery of legislation (HF 893) in the background of the ad as they discuss the need for the people to vote on a constitutional amendment defining marriage.

The expense of these ads should have been reported on the lobbyist disclosure report because they were attempts to influence legislative action. The advertising by the Minnesota Family Council and National Organization for Marriage meets the federal definition of grassroots lobbying which should be considered the narrowest possible definition of "influencing legislative action." The four basic tests of grassroots lobbying are: (1) is there a communication (2) with the public (3) that expresses a view about specific legislation (4) and includes a call to action. The ads as previously described meet all four of these tests.

It is obvious that the television advertisement satisfies the first two, as a communication with the public. The Alliance for Justice describes test three as: "specific legislation refers to a bill or resolution that has been introduced in a legislative body or a specific proposal to solve a problem... A proposal may qualify as specific legislation even if it has not yet been introduced, been written down, or even fully fleshed out." The advertising by both organizations mentions specific legislation that was discussed during the 2010 legislative session and mentions the need to support legislative action on a constitutional amendment to protect marriage.

The final test is that they must have a call to action. The Alliance for Justice defines it thusly: "it must comprise one of the following actions: 1) tell the recipient to contact a legislator; 2) provide information on how the recipient can contact his legislator, such as providing the phone number or address; 3) provide a mechanism for enabling the recipient to contact his legislator, such as a postcard, petition, or email form; or 4) identify a legislator who will vote on the legislation as being opposed to or undecided about the organization's view on the legislation, a member of a legislative committee who will vote on the legislation, or the recipient's legislator." The ad meets this test in two cases. First, it tells the public to contact DFL lawmakers. The ad states: "Most DFL lawmakers don't want you to have a say. When they ask for your support, ask them if they will guarantee your right to vote on marriage." Second, it identified a legislator who could vote on the legislation by specifically mentioning a state representative at the time, Rep. Kelliher. It also included the name of the current governor.

It was reported that the groups spent at least \$200,000 on the first television ad buy, but it is unknown how much was spent on the other television and radio ads.

**Failure to Disclose Expenditures**

In failing to disclose the expense of the advertising, Mr. Prichard also failed to disclose contributions of \$500 that were used to pay for that effort. The CFDB should require that all the donors of the television advertising campaign be disclosed as outlined in Minnesota campaign law.

**Requested Penalties**

Common Cause Minnesota respectfully requests the Minnesota Campaign Finance Disclosure Board find Mr. Prichard guilty of violating Minn. Stat. §10A.04, subd. 4(b)&(d) and Minn. Stat. §10A.25, subd. 2.

We urge the CFDB to assess the following penalties:

- Assess a civil penalty of \$3,000 for filing a false statement with the board.

Considering the nature of the scheme and the fact that this is the second time that Mr. Prichard has violated this very statute by failing to disclose lobbyist expenditures associated with urging public action to influence legislative action, we believe that there is clear intent to violate the statute. Mr. Prichard cannot claim that he did not know about the reporting requirements or was given bad legal advice because of this past violation and the media attention that it received (Attachment B). In light of this information, we encourage the CFDB to seek the maximum penalties to send a clear message that these attempts to undermine disclosure will not be tolerated.

4/8/2011

# NOM Demands that Minnesotans Be All...

<http://www.nationformarriage.org/site/c.omL2KeN0LzH/b.3836955/k.BEC6/Home.htm>



NATIONAL  
ORGANIZATION  
FOR MARRIAGE

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[Contact Us \(http://www.nationformarriage.org/site/c.omL2KeN0LzH/b.3474771/k.29F9/Contact\\_Us/apps/ka/ct/default.asp\)](http://www.nationformarriage.org/site/c.omL2KeN0LzH/b.3474771/k.29F9/Contact_Us/apps/ka/ct/default.asp)

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## NOM DEMANDS THAT MINNESOTANS BE ALLOWED TO VOTE ON MARRIAGE



<http://www.nationformarriage.org/site/c.omL2KeN0LzH/b.3836955/k.BEC6/Home.htm>

**FOR IMMEDIATE RELEASE: May 18, 2010**

**CONTACT: Elizabeth Ray or Mary Beth Hutchins at 703-683-5004**

### **National Organization for Marriage Demands that Minnesotans Be Allowed to Vote on Marriage:**

***Let The People Vote: Marriage Issue Takes Center Stage in New Advertising  
Campaign***

#### NOM Latest News

<http://www.nationformarriage.org/site/apps/nl/newsletter2.asp?c=omL2KeN0LzH&b=5075187>

[NOM Condemns New Calls for the Firing of Crystal Dixon; Calls on National Gay Rights Leaders to Repudiate Tactics of Intimidation & Renounce Religious Bigotry](#)

<http://www.nationformarriage.org/site/apps/ninet/content2.aspx?>

[c=omL2KeN0LzH&b=5075187&ct=9313075](http://www.nationformarriage.org/site/apps/nlnet/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9313075)

[NOM Slams Cummins, Inc.'s Misleading Testimony Against Indiana Marriage Amendment](http://www.nationformarriage.org/site/apps/nlnet/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9284687)

<http://www.nationformarriage.org/site/apps/nlnet/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9284687>

[NOM Reacts to 9th Circuit Refusal to Lift Stay in Prop 8 Case](http://www.nationformarriage.org/site/apps/nine/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9236131)

<http://www.nationformarriage.org/site/apps/nine/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9236131>

[NOM Congratulates MD Legislature for Defending Marriage](http://www.nationformarriage.org/site/apps/nine/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9175599)

<http://www.nationformarriage.org/site/apps/nine/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9175599>

[NOM to Spend \\$1M in MD SSM Fight](http://www.nationformarriage.org/site/apps/nine/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9164839)

<http://www.nationformarriage.org/site/apps/nine/content2.aspx?c=omL2KeN0LzH&b=5075187&ct=9164839>

**(Washington, D.C.)** – The National Organization for Marriage (NOM) today began a \$200,000 statewide television campaign to inform Minnesotans of the attempt by special interest groups to redefine marriage in Minnesota, and called on elected officials to let the people vote on this critical issue.

"NOM sees Minnesota as the next key battleground state in the fight to preserve marriage in America," said Brian Brown, NOM's president. "Many Minnesotans are unaware that special interest groups are working to convince activist judges and DFL lawmakers to redefine marriage in the state. A lawsuit was recently filed asking the courts to redefine marriage, and six bills were introduced in the legislature this year to do the same thing. One prominent state Senator, John Marty, has said it is his goal to redefine marriage as soon as possible, as early as next year when the legislature reconvenes."

NOM is the nation's leading advocacy organization protecting marriage as the union of one man and one woman. The group has been active in marriage debates in numerous states, including helping secure the passage of Proposition 8 in California in 2008 and Question 1 in Maine last year. NOM also helped defeat homosexual marriage proposals in New Jersey and New York last year, and is battling for the right of District of Columbia voters to overturn gay marriage in the nation's capitol.

"Many Minnesotans don't realize the extent to which homosexual marriage activists are working to redefine marriage between a man and a woman out of existence," said Tom Prichard, president of the Minnesota Family Council. "We welcome NOM to Minnesota and appreciate their efforts to inform Minnesotans on the serious threat to marriage in our state. Marriage bonds mothers and fathers to one another and children to their parents. The well-being of society is at stake when the institution of marriage is attacked."

"Thirty one states have already voted to define marriage as being a man and a woman. It's time that Minnesotans have that same right," Brown said.

The television advertisement may be viewed at [http://www.youtube.com/watch?v=lb\\_oXczzDQo](http://www.youtube.com/watch?v=lb_oXczzDQo) ([http://www.youtube.com/watch?v=lb\\_oXczzDQo](http://www.youtube.com/watch?v=lb_oXczzDQo)) ..

**To schedule an interview with Brian Brown, President of the National Organization for Marriage, or Tom Prichard, President of the Minnesota Family Council, please contact Elizabeth Ray, [eray@crcpublicrelations.com](mailto:eray@crcpublicrelations.com), (x130) or Mary Beth Hutchins, [mhutchins@crcpublicrelations.com](mailto:mhutchins@crcpublicrelations.com), (x105) at 703-683-5004.**

###

# 'Gathering Storm' group returns with more anti-gay marriage ads

By [Andy Birkey](#) | 05.18.10 | 12:47 pm

The National Organization for Marriage (NOM), a group that was instrumental in overturning same-sex marriage in California and Maine, is out with an ad in Minnesota calling it the “next key battleground state.” The group — which created a [much-spoofed “Gathering Storm” ad](#) in 2009 — plans to spend \$200,000 on its Minnesota media buy and is coordinating the campaign with the Minnesota Family Council.

“NOM sees Minnesota as the next key battleground state in the fight to preserve marriage in America,” said Brian Brown, NOM’s president, in a statement Tuesday. “Many Minnesotans are unaware that special interest groups are working to convince activist judges and DFL lawmakers to redefine marriage in the state.”

Tom Prichard, president of the Minnesota Family Council praised the ads: “We welcome NOM to Minnesota and appreciate their efforts to inform Minnesotans on the serious threat to marriage in our state. Marriage bonds mothers and fathers to one another and children to their parents. The well-being of society is at stake when the institution of marriage is attacked.”

Here’s the ad:

**14 Comments** »



# Anti-gay groups NOM, MN Family Council target Horner, Dayton in new ads

By [Andy Birkey](#) | 08.13.10 | 9:36 am

The Minnesota Family Council and the National Organization for Marriage (NOM) are teaming up against DFLer Mark Dayton and Independence Party candidate Tom Horner with new radio ads. The ads are the second statewide campaign by NOM; [the group released television ads against DFLers and IP candidates in the spring](#). The group also produced mailers against Sen. Paul Koering, the state's only openly gay elected Republican. He lost his primary election this week.

“Voters in 31 other states have had the opportunity to decide the definition of marriage, and it’s time that Minnesotans had that same right,” said Brian Brown, president of the National Organization for Marriage (NOM) in a statement on Thursday. “The candidates for governor are asking voters for their support. We’re encouraging voters, in turn, demand of the candidates to guarantee they’ll support their right to vote on marriage and not impose gay marriage on them.”

Tom Prichard of the Minnesota Family Council added, “Both DFL nominee Mark Dayton and Independent [Independence Party candidate] Tom Horner want to impose homosexual marriage on all Minnesotans, but GOP nominee Tom Emmer supports traditional marriage. The key issue, however, is who will get to decide this issue – the politicians in St. Paul or the people themselves. That’s what voters need to ask of the candidates.”

The Minnesota Independent has asked for the audio for the ads and will post them once received.

## 11 Comments »

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# Iowa groups file formal complaint against National Organization for Marriage

By [Jason Hancock](#) | 08.31.09 | 4:30 pm

The state's largest gay rights organization and a progressive religious group have filed a formal complaint against the National Organization for Marriage (NOM) with the Iowa Ethics and Campaign Disclosure Board.

One Iowa and the Interfaith Alliance of Iowa filed the complaint Monday alleging that NOM, a New Jersey-based group that opposes same-sex marriage, violated Iowa campaign finance law in their Iowa House District 90 campaign.

"NOM has complete disregard of Iowa law as they engage in express advocacy in our state, while refusing to release the identity of their donors, as is legally required in Iowa law," the complaint said. "NOM has a history of funneling secret money throughout the country to engage in similar activity."

On Aug. 20, NOM reported making an independent expenditure of \$86,060 to benefit Stephen Burgmeier, a candidate in Tuesday's Iowa House District 90 special election. The complaint alleges the expenditure violates Iowa election laws requiring disclosure of political contributors. Similar complaints have been filed against NOM in California and Maine.

The Iowa complaint comes less than a week after Charlie Smithson, executive director of the Iowa Ethics and Campaign Disclosure Board, wrote a letter to NOM Executive Director Brian Brown saying that if his organization continues to engage in express advocacy in Iowa, the group would have to form a PAC and disclose its donors.

"We request a thorough investigation into their activities, including detailed accounting of any and all contributions and their sources, as Iowans clearly deserve to know who is funding last minute advertising to try and influence tomorrow's election," the complaint said.

NOM has said it will target target Iowa in the hopes of passing a state constitutional amendment reversing the unanimous ruling of the Iowa Supreme Court in April that the state's Defense of Marriage Act was unconstitutional. The effort, called "The Reclaim Iowa Project," leads many to believe the \$90,000 spent on HD90 represents just a preview of the group's future investment in Iowa politics.

In Maine, the state's Commission on Governmental Ethics and Election Practices said in a letter to NOM that it will investigating their campaign practices at its Oct. 1 meeting. The group is trying to build support for a referendum to overturn a recently passed law legalizing same-sex marriage.

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# NOM, Family Council invoke MLK in pro-Emmer ad opposing gay marriage

By [Andy Birkey](#) | 09.23.10 | 8:53 am

The Minnesota Family Council and the National Organization for Marriage launched a new television ad this week in support of Republican gubernatorial candidate Tom Emmer. It's the fourth foray into political advertising for the socially conservative groups this cycle and the second television ad. The ad uses footage of the Rev. Dr. Martin Luther King, Jr., and says that Emmer is the only candidate that supports putting a constitutional amendment banning same-sex marriage on the ballot.

"It is important that the citizens of Minnesota know that both Mark Dayton and Tom Horner support imposing gay 'marriage' on Minnesotans without a vote of the people," Tom Prichard of the Minnesota Family Council said in a press release about the ad. "Only Tom Emmer has publicly supported traditional marriage and the right of the people to vote on this important issue. That's what this ad communicates."

In an email on Wednesday afternoon, Brian Brown of the National Organization for Marriage said, "We've just released what may very well be our most powerful ad yet... focusing on the right of Minnesotans to vote for marriage, with footage from Dr. Martin Luther King's famous speech and the civil rights movement.

He added, "In the Minnesota governor's race, two of the three candidates want to let unelected judges force same-sex marriage on Minnesotans, with only Republican Tom Emmer standing up for the rights of Minnesota voters."

The ad is the fourth by the organizations to support or oppose a candidate. In the spring, the groups released a television ad touting Emmer as the only candidate supporting "marriage." In the summer, they went after openly gay Republican Sen. Paul Koering, sending out a mailer criticizing his dinner with an actor from the adult film industry. And recently they launched radio ads that praised Emmer's opposition to same-sex marriage.

Despite these expenditures, neither group has registered with the Minnesota Campaign Finance and Public Disclosure Board as a political action committee or an independent expenditure committee.

Here's the group's fourth ad:

# Anti-gay marriage groups use MLK in new radio ad

By [Andy Birkey](#) | 10.15.10 | 11:26 am

The Minnesota Family Council and the National Organization for Marriage are launching radio ads that mention the Rev. Dr. Martin Luther King, Jr., in urging voters to support Republican gubernatorial candidate Tom Emmer because he backs the “right to vote” against gay marriage.

“We want the voters of Minnesota to know the facts about their rights and where the candidates stand on marriage,” Brian Brown, president of NOM said in a statement on Thursday. “Just as Dr. Martin Luther King, Jr., fought for the civil rights of Americans, we echo his words to give people the ballot and let the people vote!”

NOM has used King’s likeness in anti-marriage equality ads in Minnesota before, despite the fact that King’s relatives say he wouldn’t have supported a call to vote against the rights of others.

Here’s the radio spot, which MFC and NOM have turned into a web video:

Here’s the transcript:

MLK: “Give us the ballot.”

Female ANNCR: The right to vote. Our most important civil right. Martin Luther King said it

simply:

MLK: "Give us the ballot."

Female ANNCR: Yet some politicians in Minnesota want to impose gay marriage without a vote of the people.

EFX: Music begins

Male ANNCR: Gay marriage has consequences. Legal experts predict same-sex marriage will result in a flood of lawsuits against individuals, small businesses and religious groups who don't accept it. When Massachusetts imposed gay marriage, second graders were taught that boys could marry other boys. In the District of Columbia, Catholic Charities was forced to end its eight-decade old adoption and foster care programs.

Female ANNCR: Shouldn't something this important be decided by Minnesota voters, not politicians?

Mark Dayton and Tom Horner want to impose gay marriage with no vote of the people.

But Tom Emmer believes marriage is between one man and one woman. And Emmer says let the people vote.

Demand your civil right to vote on marriage.

Male ANNCR: Paid for by the Minnesota Family Council and the National Organization for Marriage.

## 33 Comments »

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### Lobbyist Disbursement Report

Due Date: 6/15/2010

Period Covered: 1/1/2010 through 5/31/2010

8513/4506

#### Lobbyist Information

Lobbyist Name **Prichard, Thomas W**

Lobbyist Registration Number 8513

Address 2855 Anthony Lane S, Ste 150

Association Number 4506

Minneapolis MN 55418-3265

Telephone (612) 789-8811

Name of individual, association, political subdivision, or public higher education system represented

**MN Family Council**

Lobbyist Comments

#### Check appropriate box(es) below

1. **Yes** We have been paid or our employer has been paid more than \$500 in this calendar year in salary or fees as compensation for lobbying purposes on behalf of this association or individual.
2. **No** No lobbying disbursements were made by me on behalf of my association, or directly by my association, and/or the lobbyists I am reporting during this reporting period. (If disbursements were made, itemize them on Schedule A).
3. **No** The association or individual that we represent paid for a gift or benefit equal in value to \$5 or more to an official. (Itemize on Schedule B).
4. **Yes** The association or individual we represent received more than \$500 from another association or individual in this calendar year to influence legislative action, administrative action, or the official action a metropolitan governmental unit. (Itemize on Schedule C).
5. **No** I or someone I am reporting for provided lobbying disbursements, gifts, or benefits from my personal funds. (The lobbyist who provided a disbursement, gift, or benefit from personal funds must contact the Board office for a Report of Lobbyist's Disbursements From Personal Funds, which is due at the same time as this report).
6. **No** I am terminating my lobbyist registration and will send to the Campaign Finance and Public Disclosure Board a Lobbyist Termination Statement. Termination Date:

**Lobbyist Disbursement Report**

Due Date: 6/15/2010

Period Covered: 1/1/2010 through 5/31/2010

8513/4506

**Schedule A - Total lobbying disbursements**

|  | <i>To Influence<br/>Legislative Action</i> | <i>To Influence<br/>Administrative<br/>Action including<br/>rulemaking or<br/>amending of rules</i> | <i>To Influence<br/>Metropolitan<br/>Governmental Unit<br/>Action</i> |
|--|--|---|---|
| <i>1. Preparation and distribution<br/>of lobbying materials</i> | \$0.00                                     | \$0.00  | \$0.00  |
| <i>2. Media advertising</i>                                      | \$0.00                                     | \$0.00  | \$0.00  |
| <i>3. Telephone and communications</i>                           | \$0.00                                     | \$0.00  | \$0.00  |
| <i>4. Postage and distribution</i>                               | \$88.59                                    | \$0.00  | \$0.00  |
| <i>5. Fees, allowances, public<br/>relations campaigns</i>       | \$0.00                                     | \$0.00  | \$0.00  |
| <i>6. Entertainment</i>  | \$0.00                                     | \$0.00  | \$0.00  |
| <i>7. Food and beverages</i>                                     | \$0.00                                     | \$0.00  | \$0.00  |
| <i>8. Travel and lodging</i>                                     | \$247.02                                   | \$0.00  | \$0.00  |
| <i>9. Salary and administrative<br/>costs of support staff</i>   | \$0.00                                     | \$0.00  | \$0.00  |
| <i>10. All other lobbying<br/>disbursements</i>                  | \$1,745.20                                 | \$0.00  | \$0.00  |
| <b>Total</b>   | \$2,080.81                                 | \$0.00  | \$0.00  |

**Schedule B - Honoraria, gift, loan, item or benefit**

**Lobbyist Disbursement Report**

Due Date: 6/15/2010

Period Covered: 1/1/2010 through 5/31/2010

8513/4506

**Schedule C -- Other sources of funds**

| Name                | Address   | Employer/occupation/<br>principal place of business | Leg | Admin | MGU |
|---------------------|---|---|-----|-------|-----|
| Alden Starkey       | 8521 Valley View Ct<br>Prior Lake, MN 55372     | Keystar, Inc.                                       | Yes | No    | No  |
| Andrew Engel        | 8820 Southwood Drive<br>Bloomington, MN 55437   | Northwest Anesthesia                                | Yes | No    | No  |
| Daniel Blake        | 16831 Cedarcrest Dr<br>Eden Prairie, MN 55347   | Centex Homes  | Yes | No    | No  |
| David Seehusen      | 8538 Carson Ct<br>Inver Grove Heights, MN 55076 | Land O'Lakes  | Yes | No    | No  |
| Dean Abbott         | 4305 York Ave N<br>Minneapolis, MN 55422        | ING Corp  | Yes | No    | No  |
| Douglas Linder      | 5108 Scriver Rd<br>Minneapolis, MN 55436        | Retired   | Yes | No    | No  |
| Eunice Nelson       | 461 Idaho Ave E<br>St. Paul, MN 55101           | Retired   | Yes | No    | No  |
| George Anderson     | 11412 Mississippi Dr N<br>Champlin, MN 55316    | Crown Iron Works Corp                               | Yes | No    | No  |
| George Townsend     | 617 W Summit<br>Fergus Falls, MN 56537          | Townsend Concessions                                | Yes | No    | No  |
| Gilbert Mathews     | 2703 Woods Trl S<br>Burnsville, MN 55306        | retired   | Yes | No    | No  |
| Jim Kirkwood        | 9284 Wedgewood Dr<br>St. Paul, MN 55125         | General Mills                                       | Yes | No    | No  |
| Jo Tolck            | 2855 Anthony Ln S #B7<br>Minneapolis, MN 55418  | Human Life Alliance                                 | Yes | No    | No  |
| Joel Jennings       | 9501 Oxborough Curve<br>Minneapolis, MN 55437   | Self employed - Gopher Sport                        | Yes | No    | No  |
| John Roise          | 1605 Northridge Ln<br>Mankato, MN 56003         | Lindsay Windows                                     | Yes | No    | No  |
| Joseph Pahl         | 3331 Akers Ln<br>Jordan, MN 55352               | Dem-Con Landfill                                    | Yes | No    | No  |
| Katherine Ann Rubin | 446 Hastings Drive<br>Duluth, MN 55803          | St. Mary's Duluth Clinic                            | Yes | No    | No  |
| Kenneth Larson      | 9791 Hidden Glade Rd<br>St. Paul, MN 55110      | Slumberland   | Yes | No    | No  |



**Lobbyist Disbursement Report**

| Due Date: 6/15/2010 | Period Covered: 1/1/2010 through 5/31/2010         | 8513/4506                           |
|---------------------|--|-------------------------------------|
| Lyle Nienow         | PO Box 631<br>Lewiston, MN 55952                   | Lewiston Auto Co. Yes No No         |
| Mary Jo Cote        | 925 Nine Mile Cv S<br>Hopkins, MN 55343            | Homemaker Yes No No                 |
| Neil McKay          | 8184 Jewel Ln N<br>Maple Grove, MN 55311           | Allianz Yes No No                   |
| Palmer Norling      | 2100 4th Ave SE<br>Willmar, MN 56201               | Self employed farmer Yes No No      |
| Pete Scharber       | 12260 42nd St. NE<br>St. Michael, MN 55376         | Marksman Metals Co. Inc. Yes No No  |
| Peter Mahon         | 5501 W Highwood Dr<br>Edina, MN 55436              | Retired Yes No No                   |
| Phillip Lindau      | 2825 Medicine Ridge Rd<br>Minneapolis, MN 55441    | Commodity Specialists Co. Yes No No |
| Robert Kennedy      | 11442 Burr Ridge Lane<br>Eden Prairie, MN 55347    | Mission Technologies Yes No No      |
| Roger Arnold        | 5025 12th Ave S<br>Minneapolis, MN 55417           | Midland National Life Yes No No     |
| Scott Powell        | 18381 N Diamond Lake Rd<br>Dayton, MN 55327        | self employed Yes No No             |
| Steve Goold         | 4225 Gettysburg Ave N<br>Minneapolis, MN 55428     | Pastor-New Hope Church Yes No No    |
| Ted Ameson          | 2101 Irving Ave S<br>Minneapolis, MN 55405         | retired Yes No No                   |
| Thomas Johnson      | 1154 Kingsley Ct S<br>St. Paul, MN 55118           | Retired Yes No No                   |
| William Arnold      | 4344 W. Lake Harriet Pkwy<br>Minneapolis, MN 55410 | Self employed comedian Yes No No    |

**Schedule D - Officers and directors of entity represented**

| Office            | Officer Name | Address                                      |
|-------------------|--------------|--|
| John Helmberger   | CEO          | 2437 Western Ave N<br>Roseville, MN 55113    |
| Thomas W Prichard | President    | 4316 Washburn Ave N<br>Minneapolis, MN 55412 |

**Schedule E**

| Reporting Lobbyist | Leg                                 | Admin                    | Metro                    | Subjects      |
|--------------------|-------------------------------------|--------------------------|--------------------------|---------------|
| Prichard, Thomas   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Family Issues |

***Lobbyist Disbursement Report***

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*Due Date: 6/15/2010*

*Period Covered: 1/1/2010 through 5/31/2010*

**8513/4506**

*I certify that this report is complete, true and correct.*

**Prichard, Thomas W**

## Lobbyist Disbursement Report

Due Date: 1/18/2011

Period Covered: 6/1/2010 through 12/31/2010

8513/4506

### Lobbyist Information

Lobbyist Name Prichard, Thomas W

Lobbyist Registration Number 8513

Address 2855 Anthony Lane S, Ste 150

Association Number 4506

Minneapolis MN 55418-3265

Telephone (612) 789-8811

Email tom@mfc.org

Name of individual, association, political subdivision, or public higher education system represented

**MN Family Council - (www.mfc.org)**

Lobbyist Comments

### Check appropriate box(es) below

1. **Yes** We have been paid or our employer has been paid more than \$500 in this calendar year in salary or fees as compensation for lobbying purposes on behalf of this association or individual.
2. **No** No lobbying disbursements were made by me on behalf of my association, or directly by my association, and/or the lobbyists I am reporting for during this reporting period. (If disbursements were made, itemize them on Schedule A).
3. **No** The association or individual that we represent paid for a gift or benefit equal in value to \$5 or more to an official. (Itemize on Schedule B).
4. **Yes** The association or individual we represent received more than \$500 from another association or individual in this calendar year to influence legislative action, administrative action, or the official action a metropolitan governmental unit. (Itemize on Schedule C).
5. **No** I or someone I am reporting for provided lobbying disbursements, gifts, or benefits from personal funds. (The lobbyist who provided a disbursement, gift, or benefit from personal funds must contact the Board office for a Report of Lobbyist's Disbursements From Personal Funds, which is due at the same time as this report).
6. **No** I am terminating my lobbyist registration and will send to the Campaign Finance and Public Disclosure Board a Lobbyist Termination Statement. Termination Date:

**Lobbyist Disbursement Report**

Due Date: 1/18/2011

Period Covered: 6/1/2010 through 12/31/2010

8513/4506

**Schedule A - Total lobbying disbursements**

|   | <i>To Influence<br/>Legislative Action</i> | <i>To Influence<br/>Administrative<br/>Action including<br/>rulemaking or<br/>amending of rules</i> | <i>To Influence<br/>Metropolitan<br/>Governmental Unit<br/>Action</i> |
|---|--|---|---|
| 1. Preparation and distribution of lobbying materials | \$0.00                                     | \$0.00  | \$0.00  |
| 2. Media advertising                                  | \$0.00                                     | \$0.00  | \$0.00  |
| 3. Telephone and communications                       | \$143.99                                   | \$0.00  | \$0.00  |
| 4. Postage and distribution                           | \$88.59                                    | \$0.00  | \$0.00  |
| 5. Fees, allowances, public relations campaigns       | \$0.00                                     | \$0.00  | \$0.00  |
| 6. Entertainment                                      | \$0.00                                     | \$0.00  | \$0.00  |
| 7. Food and beverages                                 | \$0.00                                     | \$0.00  | \$0.00  |
| 8. Travel and lodging                                 | \$460.27                                   | \$0.00  | \$0.00  |
| 9. Salary and administrative costs of support staff   | \$5,438.66                                 | \$0.00  | \$0.00  |
| 10. All other lobbying disbursements                  | \$3,492.54                                 | \$0.00  | \$0.00  |
| <b>Total</b>  | <b>\$9,624.05</b>                          | <b>\$0.00</b>   | <b>\$0.00</b>   |

**Schedule B - Honoraria, gift, loan, item or benefit**

**Lobbyist Disbursement Report**

Due Date: 1/18/2011

Period Covered: 6/1/2010 through 12/31/2010

8513/4506

**Schedule C -- Other sources of funds**

| Name               | Address   | Employer/occupation/<br>principal place of business | Leg | Admin | MGU |
|--------------------|---|---|-----|-------|-----|
| Alden Starkey      | 8521 Valley View Ct<br>Prior Lake, MN 55372     | Keystar, Inc.                                       | Yes | No    | No  |
| Andrew Engel       | 8820 Southwood Drive<br>Bloomington, MN 55437   | Northwest Anesthesia                                | Yes | No    | No  |
| Bernard Hanson     | 2860 Cty Rd 102<br>Wrenshall, MN 55797          |   | Yes | No    | No  |
| Bruce Ona          | 534 Lovel Ave<br>Roseville, MN 55113            | Remmele Engineering Inc.                            | Yes | No    | No  |
| Bruce Peterson     | 1301 E 99th St<br>Minneapolis, Mn 55425         | self  | Yes | No    | No  |
| Christian Center   | 30090 Hay Creek Trl<br>Red Wing, MN 55066       | Christian Center                                    | Yes | No    | No  |
| Daniel Blake       | 16831 Cedarcrest Dr<br>Eden Prairie, MN 55347   | Centex Homes  | Yes | No    | No  |
| David Clear        | 14400 Diamond Path W<br>Rosemount, MN 55068     | First Baptist Church of Rosemount                   | Yes | No    | No  |
| David Seehusen     | 8538 Carson Ct<br>Inver Grove Heights, MN 55076 | Land O'Lakes  | Yes | No    | No  |
| Dean Abbott        | 4305 York Ave N<br>Minneapolis, MN 55422        | ING Corp  | Yes | No    | No  |
| Douglas Linder     | 5108 Scriver Rd<br>Minneapolis, MN 55436        | Retired   | Yes | No    | No  |
| Elizabeth Cherne   | 6566 France Ave S<br>Minneapolis, mn 55435      | retired   | Yes | No    | No  |
| Eunice Nelson      | 461 Idaho Ave E<br>St. Paul, MN 55101           | Retired   | Yes | No    | No  |
| Frank St. Lawrence | 253 Cygnet Pl<br>Long Lake, MN 55356            | retired   | Yes | No    | No  |
| George Anderson    | 11412 Mississippi Dr N<br>Champlin, MN 55316    | Crown Iron Works Corp                               | Yes | No    | No  |
| George Townsend    | 617 W Summit<br>Fergus Falls, MN 56537          | Townsend Concessions                                | Yes | No    | No  |
| Gilbert Mathews    | 2703 Woods Trl S<br>Burnsville, MN 55306        | retired   | Yes | No    | No  |

**Lobbyist Disbursement Report**

| <i>Due Date: 1/18/2011</i> |  | <i>Period Covered: 6/1/2010 through 12/31/2010</i> |     |    | <b>8513/4506</b> |  |  |
|----------------------------|--|--|-----|----|------------------|--|--|
| Grace Bible Chapel         | 2452 County Rd 76<br>Grand Rapids, MN 55744    | Grace Bible Chapel                                 | Yes | No | No               |  |  |
| Jeanne Fudge               | 16005 Makah St. NW<br>Andover, MN 55304        | retired  | Yes | No | No               |  |  |
| Jessi Brinkman             | 1206 9th Ave N<br>Sauk Rapids, Mn 56379        | Granite Electronics                                | Yes | No | No               |  |  |
| Jim Anderson               | 11125 Point Douglas Dr S<br>Hastings, MN 55033 | Harbor Church                                      | Yes | No | No               |  |  |
| Jim Kirkwood               | 9284 Wedgewood Dr<br>St. Paul, MN 55125        | General Mills                                      | Yes | No | No               |  |  |
| Jo Tolck                   | 2855 Anthony Ln S #B7<br>Minneapolis, MN 55418 | Human Life Alliance                                | Yes | No | No               |  |  |
| Joel Jennings              | 9501 Oxborough Curve<br>Minneapolis, MN 55437  | Self employed - Gopher Sport                       | Yes | No | No               |  |  |
| John Etzell                | 3503 Richmond Ave<br>St. Paul, mn 55126        | Remmele Engineering Inc                            | Yes | No | No               |  |  |
| John Roise                 | 1605 Northridge Ln<br>Mankato, MN 56003        | Lindsay Windows                                    | Yes | No | No               |  |  |
| Joseph Pahl                | 3331 Akers Ln<br>Jordan, MN 55352              | Dem-Con Landfill                                   | Yes | No | No               |  |  |
| Katherine Ann Rubin        | 446 Hastings Drive<br>Duluth, MN 55803         | St. Mary's Duluth Clinic                           | Yes | No | No               |  |  |
| Kenneth Larson             | 9791 Hidden Glade Rd<br>St. Paul, MN 55110     | Slumberland  | Yes | No | No               |  |  |
| Kirk Roebken               | 6545 McCauley Trl W<br>Minneapolis, MN 55439   | retired  | Yes | No | No               |  |  |
| Lyle Nienow                | PO Box 631<br>Lewiston, MN 55952               | Lewiston Auto Co.                                  | Yes | No | No               |  |  |
| Marcus Bachmann            | 8669 Eagle Pt Blvd<br>Lake Elmo, MN 55042      | Bachmann & Associates                              | Yes | No | No               |  |  |
| Martin Kellogg             | 339 Mount Curve Blvd<br>St. Paul, mn 55105     | UFE Inc  | Yes | No | No               |  |  |
| Mary Jo Cote               | 925 Nine Mile Cv S<br>Hopkins, MN 55343        | Homemaker  | Yes | No | No               |  |  |
| Melvyn Larson              | 2429 Viking Ct. NW<br>Rochester, mn 55901      | retired  | Yes | No | No               |  |  |
| Neil McKay                 | 8184 Jewel Ln N<br>Maple Grove, MN 55311       | Allianz  | Yes | No | No               |  |  |

**Lobbyist Disbursement Report**

| <i>Due Date: 1/18/2011</i> | <i>Period Covered: 6/1/2010 through 12/31/2010</i> |                           | <b>8513/4506</b> |    |    |
|----------------------------|--|---------------------------|------------------|----|----|
| Palmer Norling             | 2100 4th Ave SE<br>Willmar, MN 56201               | Self employed farmer      | Yes              | No | No |
| Pete Jaenchen              | 2515 Bobolink Rd<br>Long Lake, mn 55356            | Self - Medical Sales      | Yes              | No | No |
| Pete Scharber              | 12260 42nd St. NE<br>St. Michael, MN 55376         | Marksman Metals Co. Inc.  | Yes              | No | No |
| Peter Mahon                | 5501 W Highwood Dr<br>Edina, MN 55436              | Retired                   | Yes              | No | No |
| Phillip Lindau             | 2825 Medicine Ridge Rd<br>Minneapolis, MN 55441    | Commodity Specialists Co. | Yes              | No | No |
| Robert Erkel               | 1860 Spring Lake Cir<br>Jordan, Mn 55352           |                           | Yes              | No | No |
| Robert Kennedy             | 11442 Burr Ridge Lane<br>Eden Prairie, MN 55347    | Mission Technologies      | Yes              | No | No |
| Robert McMahon             | 13841 Medora Rd<br>Mendota Heights, MN 55118       | retired                   | Yes              | No | No |
| Robert Melcher             | 309 Division St. E<br>Buffalo, MN 55313            |                           | Yes              | No | No |
| Robert Visser              | 5123 Neal Ave S<br>Afton, MN 55001                 | 3M                        | Yes              | No | No |
| Rodney Huisken             | PO Box 206<br>Chandler, MN 556122                  | retired                   | Yes              | No | No |
| Roger Arnold               | 5025 12th Ave S<br>Minneapolis, MN 55417           | Midland National Life     | Yes              | No | No |
| Ron Grussing               | PO Box 527<br>Clara City, MN 56222                 |                           | Yes              | No | No |
| Scot Alexander             | 17815 32nd Pl N<br>Minneapolis, MN 55447           | Wayzata Public Schools    | Yes              | No | No |
| Scott Kirckwood            | 5120 Clear Spring Drive<br>Minnetonka, MN 55345    | General Mills             | Yes              | No | No |
| Scott Powell               | 18381 N Diamond Lake Rd<br>Dayton, MN 55327        | self employed             | Yes              | No | No |
| Steve Goold                | 4225 Gettysburg Ave N<br>Minneapolis, MN 55428     | Pastor-New Hope Church    | Yes              | No | No |
| Steve Neubauer             | 12434 Buckthorn Cir<br>Rogers, mn 55374            | Alliant Tech Systems      | Yes              | No | No |
| Ted Arneson                | 2101 Irving Ave S<br>Minneapolis, MN 55405         | retired                   | Yes              | No | No |

**Lobbyist Disbursement Report**

Due Date: 1/18/2011      Period Covered: 6/1/2010 through 12/31/2010      8513/4506

|                    |  |                         |     |    |    |
|--------------------|--|-------------------------|-----|----|----|
| Thomas Johnson     | 1154 Kingsley Ct S<br>St. Paul, MN 55118           | Retired                 | Yes | No | No |
| Timothy Tingelstad | 2840 Country Ln NE<br>Bemidji, MN 56601            | Judge                   | Yes | No | No |
| Tom Becken         | 11806 21st St. N<br>Lake Elmo, MN 55042            | Cemstone                | Yes | No | No |
| Trudee Ray         | 3380 132nd Ln NW<br>Coon Rapids, mn 55448          | Virtual Radiologic Corp | Yes | No | No |
| William Arnold     | 4344 W. Lake Harriet Pkwy<br>Minneapolis, MN 55410 | Self employed comedian  | Yes | No | No |

**Schedule D - Officers and directors of entity represented**

| Office            | Officer Name | Address                                      |
|-------------------|--------------|--|
| John Helmberger   | CEO          | 2437 Western Ave N<br>Roseville, MN 55113    |
| Thomas W Prichard | President    | 4316 Washburn Ave N<br>Minneapolis, MN 55412 |

**Schedule E**

I certify that this report is complete, true and correct.

Prichard, Thomas W



Activists on gay marriage amendment file as lobbyists The Associated Press State & Local Wire April 29, 2006 Saturday 1:15 AM GMT

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The Associated Press State & Local Wire

April 29, 2006 Saturday 1:15 AM GMT

The group Minnesota for Marriage this week registered three people as lobbyists after questions were raised about their work at the Capitol pushing for a statewide vote on a constitutional amendment to ban gay marriage.

Before that, neither Minnesota for Marriage nor a separate group, Minnesota Citizens in Defense of Marriage, had filed as lobbyists despite extensive work in favor of the proposed amendment, which would prohibit legal recognition of same-sex relationships. A story Monday by The Associated Press examined disclosure practices of the two groups.

Minnesota for Marriage responded to the AP story by issuing a news release saying it would encourage its lobbyists to register even though it considered the two requirements duplicative.

"A committee that advocates for or against legislative passage of a ballot question is potentially required to file disclosure reports as both a lobbyist principal and a ballot question committee," the group's attorney, Matthew Haapoja, said then.

"These duplicative and redundant disclosure requirements can easily lead to confusion by those like the committee who are trying in good faith to comply with all disclosure requirements."

Haapoja also represents the second group, Minnesota Citizens in Defense of Marriage. Jeff Davis, the president of that group, remains confident he has met all of the state's disclosure requirements by filing as a political committee, Haapoja said Friday.

Minnesota for Marriage spokesman Chuck Darrell, one of three men to file as a lobbyist from that group the day after the AP story was transmitted, did not immediately return phone or e-mail messages.

Both groups contend that political committees are actually held to a higher standard of disclosure than are lobbyists.

Political committees are required to report itemized contributions and expenditures three times per election year, and once per non-election

year. Lobbyists must file two reports per year indicating money spent trying to influence the legislative process through staff salaries, advertising and PR campaigns, preparation of materials and other disbursements. But the organizations that lobbyists represent also must file an annual report.

The political committee requirement is meant to track money raised and spent in the electoral process, while the lobbying requirement is meant to track money spent to influence the legislative process.

Groups are required to file as lobby groups if they spend more than \$50,000 a year on the legislative process.

Minnesota Citizens in Defense of Marriage reported its political committee spent \$105,937 in 2004 and \$48,758 in 2005. Some state senators targeted by the group said they feel they've been lobbied, but Haapoja said Davis closely tracked all his spending to distinguish between money spent on lobbying which didn't exceed \$50,000 in 2004, Haapoja said and spending on a ballot question.

Individuals must file as lobbyists if they draw a salary for their work, or if they spend more than \$250 of their own money on lobbying. Davis says his efforts for Minnesota Citizens in Defense of Marriage are volunteer. He reported personal contributions to his group of \$16,600 in 2004 and \$2,250 in 2005, but Haapoja said those expenditures were toward working the ballot question and not on lobbying.

Despite the efforts of both groups, the gay marriage amendment has never been on a statewide ballot. It can only get there through a vote of the Legislature.

"Until the ballot issue is on the ballot, it's a lobbying issue to get it on the ballot," said Jeff Sigurdson, assistant executive director of the Campaign Finance and Public Disclosure Board.

But again, Haapoja said any contributions by Davis or expenditures by the group did not hit the triggers that would have required lobbyist reporting. Most of the money, he said, was spent on educational materials and spreading information about legislators and their views on gay marriage, without an explicit call to action.

Davis has said that he expects his group will exceed the \$50,000 limit this year and will file as a lobby group for 2006.

Minnesota for Marriage's press release said the group would work to fully meet both reporting requirements. On Tuesday, Darrell, Gary Borgendale and Thomas Prichard all filed as lobbyists for the group. It has not yet filed as a lobby group, though its parent organization,

the Minnesota Family Council, has long been filed as one.

Additionally, Minnesota for Marriage this week updated its 2005 political committee report with detailed information of its expenditures, information the group had indicated to the campaign finance board in January would be delayed. It includes detailed information about compensation paid to Darrell of \$17,675 minus expenses. Borgendale was paid \$11,475 minus expenses, and another contracted worker, Mike Tavernier, was paid \$7,250 minus expenses.

Any person who earns more than \$3,000 a year for the purpose of trying to influence legislative or administrative action, or urging others to communicate with public officials, is supposed to register as a lobbyist with the state.

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## Gay marriage foes avoid disclosure requirements

by Patrick Condon, Associated Press

April 24, 2006

St. Paul, Minn. — (AP) The two groups pushing hardest for a constitutional ban on gay marriage in Minnesota have not filed lobbyist disclosure reports, despite their work at the forefront of a debate that's dominated the Capitol much of the last three years.

Instead, Minnesota for Marriage and Minnesota Citizens in Defense of Marriage have designated themselves as political committees working on a ballot question. The distinction means they face less stringent reporting requirements for salaries, advertising and PR campaigns, among other things, than do registered lobbyists.

Both groups say their attorneys have assured them they are within the law. But lawmakers who have been targeted by the groups, and activists on the other side of the issue, say they see a loophole that's allowing their opponents to exert influence at the Capitol without a full accounting of their spending.

"They come to the Capitol, they send people to talk to legislators, that to me is lobbying," said C. Scott Cooper, a lobbyist for OutFront Minnesota, the gay-rights group leading the opposition to the proposed constitutional amendment, which would ask voters if they want to prohibit legal recognition of same-sex relationships.

Cooper's group is registered as a lobbyist group and also employs several individually registered lobbyists. The group most recently reported spending \$53,406 on lobbying in the second half of 2005, with about \$32,000 going to staff salaries, \$15,000 on PR campaigns and \$6,000 on media advertising.

Most years see a few proposals for constitutional ballot questions at the Capitol, with advocacy groups usually springing up on both sides of the issue. This year, in addition to gay marriage, wildlife enthusiasts are pushing for an amendment to dedicate part of the state sales tax to preserve hunting and fishing habitats.

Said Lance Ness, a volunteer lobbyist with the Fish and Wildlife Legislative Alliance: "Absolutely without question, I register as a lobbyist."

In the last two years, the definition of marriage has been the subject of legislative hearings, press conferences, grassroots organizing, print and broadcast advertising campaigns, Capitol rallies and summit meetings. Minnesota for Marriage and Minnesota Citizens in Defense of Marriage have organized much of that activity.

State law says groups working on ballot questions don't have to file as lobbyists - even though the Legislature is the only entity that can put a question on the ballot.

"That's not lobbying," said Jeff Davis, president of Minnesota Citizens in Defense of Marriage, which has regularly run newspaper and TV ads pushing a handful of rural DFL senators to send the measure to voters. "That's education."

But legislators who have been targeted by the groups say it feels like lobbying to them.

"It's so obvious that's what they are," said Sen. Keith Langseth, DFL-Glyndon. "I'm getting hundreds of their cards coming into the Capitol, they're going around my district and putting up my picture, saying I'm the major obstacle to stopping a vote on this ... obviously, that's lobbying."

One professional lobbyist agreed.

"My initial response is, if they're lobbying the Legislature to get a ballot question on the ballot, that's lobbying," said Dominic Sposeto, who also chairs the legislative committee of the Minnesota Governmental Relations Council, a professional group for lobbyists.

The other group, Minnesota for Marriage, is an affiliate of the Minnesota Family Council, a conservative policy organization. The Family Council's president, Tom Prichard, is a registered lobbyist, and the organization itself is registered as a lobby group.

"Minnesota for Marriage was established for the purposes of working on the ballot question," said John Helmberger, CEO of the Family Council and chairman of Minnesota for Marriage.

Minnesota for Marriage's spokesman, Chuck Darrell has been a point man in building a statewide coalition of pastors and churchgoers charged with convincing lawmakers to put the marriage amendment on the statewide ballot.

The two groups have reported spending in the past: \$105,937 in 2004 by Minnesota Citizens in Defense of Marriage, \$199,904 last year by Minnesota for Marriage. But neither group said they spent \$50,000 or more to influence legislative action, which would have triggered the reporting requirement.

Davis said his group will exceed the \$50,000 limit this year, and will file as a lobby group for the first time. The first lobbying reports of 2006 are due in mid-June.

After inquiries by The Associated Press, Jeanne Olson, the executive director of the state Campaign Finance and Public Disclosure Board, had staff look into the status of the two anti-gay marriage groups. She said if the amounts reported were spent directly on the ballot question campaigns, the two groups had satisfied their reporting requirements.

The state's campaign finance and disclosure system is largely self-policing, though anyone can file a complaint against a person or group. The Campaign Finance Board can levy fines if it investigates and finds violations.

Individuals also have to file as lobbyists if they earn more than a cursory amount working the issue. Davis, though, said his work is volunteer, meaning he doesn't have to register, and his group doesn't have to register as one that employs a lobbyist.

Helmberger said that Darrell is considered a communications director, not one of the Family Council's legislative contacts.

"If you're doing it on your own time, you're OK," Olson said.

The Minnesota Governmental Relations Council has generally favored strong disclosure laws for groups pursuing their goals at the Legislature.

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