

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

**PROBABLE CAUSE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF ANNE-MARYE HOBAN REGARDING THE COMMITTEE TO ELECT STEVE GREEN:

The complaint alleges that the Committee to Elect Steve Green failed to post transcripts on the candidate's campaign website for all of the radio advertisements produced and paid for by the campaign committee.

Minnesota Statutes section 10A.38 states that "a campaign advertisement must not be disseminated as an advertisement by radio unless the candidate has posted on the candidate's Web site a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so." Candidates who sign a public subsidy agreement are governed by Minnesota Statutes section 10A.38. Board records indicate that Steve Green signed a public subsidy agreement.

On November 6, 2014, the Board Chair made a determination that the complaint stated a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction.

Based on the Board's review no radio transcripts for campaign advertisements were available on the candidate's website at the time the complaint was filed. A further review of the candidate's website on December 15, 2014, revealed that radio transcripts for the campaign advertisements in the complaint were available, along with radio transcripts for other campaign advertisements not mentioned in the complaint.

Findings:

1. The Committee to Elect Steve Green disseminated campaign advertisements via radio broadcast during the 2014 election.
2. Steve Green, the candidate, signed a public subsidy agreement for the 2013-2014 election cycle and was therefore bound by Minn. Stat. § 10A.38.
3. The candidate's website, as of November 6, 2014, did not contain transcripts of campaign advertisements disseminated by radio.
4. The candidate's website, as of December 15, 2014, did contain transcripts of campaign advertisements disseminated by radio.
5. The candidate did not file a statement with the Board setting forth the reasons for not posting transcripts of campaign advertisements disseminated by radio on his campaign website prior to dissemination of the advertisements.

Conclusions:

1. Probable cause exists to believe that candidate Steve Green violated section 10A.38 of the Minnesota Statutes because the candidate disseminated campaign advertisements by radio prior to posting transcripts of those advertisements to his website or filing a statement with the Board setting for the reasons for not doing so before the advertisement was disseminated.
2. No penalty is provided for by statute for a violation of the radio transcript provision.
3. Because the candidate's website has been amended to include the transcripts of the campaign advertisements, further commitment of state resources to this matter would not serve a sufficient public purpose.

Order:

The complaint in the above matter is dismissed.

/s/ George A. Beck

1/6/2015

George A. Beck, Chair
Campaign Finance and Public Disclosure Board

Dated: _____