

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF DENNY WALSH REGARDING CITIZENFORORONO.COM:

On October 5, 2016, the Campaign Finance and Public Disclosure Board received a complaint submitted by Denny Walsh regarding citizenfororono.com and its responsible entity.

The complaint appears to allege the following violations:

1. Various pieces of campaign material do not identify who is responsible for the material by including the required disclaimer, in violation of Minnesota Statutes section 211B.04.
2. No entity relating to “citizenfororono” has registered with the Board, in violation of Minnesota Statutes section 10A.14.
3. A mailing sent out by the entity contains certain false allegations, in violation of Minnesota Statutes section 211B.06.

Determination:

Section 10A.14 of the Minnesota Statutes requires a group to register with the Board if it spends over \$750 in a calendar year for the purpose of influencing the nomination or election of a state-level candidate. The candidate in question in the subject literature is a local-level candidate. No allegation is made in the complaint that the entity has conducted spending beyond the subject literature that would subject it to the Board’s regulation. For that reason, the complaint does not support a finding of a prima facie violation regarding the failure of “citizenfororono” to register with the Board.

Similarly, pursuant to Minnesota Statutes section 10A.022, subdivision 3, the Board has jurisdiction over alleged violations of section 211B.04 of the Minnesota Statutes by state-level committees. Because no allegation is made in the complaint indicating that the entity was required to register with the Board, and because the piece relates to a local race, the alleged violation is not under the Board’s jurisdiction. Therefore, the complaint does not support a finding of a prima facie violation regarding the disclaimer requirement.

Section 211B.06 of the Minnesota Statutes, regarding false political and campaign material, is not under the Board’s jurisdiction. The Office of Administrative Hearings is charged with administering this provision of the statutes. Therefore, the complaint does not support a finding of a prima facie violation regarding false statements.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (1), this prima facie determination is made by a single Board member and not by any vote of the entire Board. Based on the above analysis, the Chair concludes that the complaint does not state a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction. The complaint is dismissed without prejudice.

/s/ Daniel Rosen _____

Daniel N. Rosen, Chair
Campaign Finance and Public Disclosure Board

Date: 10/7/2016 _____