

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF GREG HENNINGSSEN REGARDING THE VOTE DUCKWORTH (ZACH) COMMITTEE

On August 17, 2022, the Campaign Finance and Public Disclosure Board received a complaint submitted by Greg Henningsen regarding the placement of campaign signs by the Vote Duckworth (Zach) committee on property allegedly owned by corporations. Vote Duckworth (Zach) is the principal campaign committee of Senator Zach Duckworth, candidate for Minnesota Senate District 57.

The complaint alleges that the Duckworth committee has been allowed to place campaign signs on commercial property in violation of Minnesota Statutes section 211B.15. The complaint listed seven locations and the alleged owner of the properties where the signs were allegedly placed:

17595 Kenwood Trail, Lakeville, Minnesota—Valley Mining, LLC
17400 Kenwood Trail, Lakeville, Minnesota—Lakeville Plaza, LLC
9056 202nd Street W, Lakeville, Minnesota—G & F Holdings, LLP
20944 Holyoke Avenue, Lakeville, Minnesota—Luxman Properties, LLC
Scott Co. Road 2 and France Avenue, Elko New Market, Minnesota—Kwik Trip, Inc.
321 Main Street, Elko New Market, Minnesota—Friedges Investment, LLC
Scott Co. Road 21 and Natchez Avenue, Credit River, Minnesota—Legends Golf

The complaint includes photos that show a Vote Duckworth sign on the property located at 17595 Kenwood Trail, Lakeville, Minnesota (allegedly owned by Valley Mining, LLC) and at 17400 Kenwood Trail, Lakeville, Minnesota (allegedly owned by Lakeville Plaza, LLC). On August 25, 2022, Mr. Henningsen supplemented his complaint with photos of the remaining five locations.

Determination

Minnesota Statutes section 211B.15, subdivision 2, prohibits corporations from giving contributions, including signage space on their properties, to candidates, and prohibits candidates from accepting contributions from corporations. Minnesota Statutes section 211B.15, subdivision 1, defines the term corporation to include for-profit corporations and limited liability companies that do business in Minnesota. The photos provided with the complaint are evidence that the Duckworth committee placed signs on property that appears to be owned or controlled by corporations. The value of displaying each sign may be an in-kind contribution from the corporation to the Duckworth committee. The chair therefore concludes that the complaint states a prima facie violation of Minnesota Statutes section 211B.15.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by a single Board member and not by any vote of the entire Board. This prima facie determination does not

mean that the Board has commenced, or will commence, an investigation or has made any determination of a violation by any of the individuals or entities named in the complaint.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, within 45 days of the date of this determination, the Board will make findings and conclusions as to whether probable cause exists to believe that the violation of Minnesota Statutes section 211B.15 alleged in the complaint has occurred and warrants a formal investigation. The complainant and the respondent named in this prima facie determination will be given an opportunity to be heard by the Board prior to any decision on probable cause.

Until the Board makes a public finding or enters into a conciliation agreement, this matter is subject to the confidentiality requirements of Minnesota Statutes section 10A.022, subdivision 5.

A handwritten signature in black ink, appearing to read 'F. Rashid', written over a horizontal line.

Faris Rashid, Chair
Campaign Finance and Public Disclosure Board

Date: August 31, 2022