

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

**PRIMA FACIE DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF STEVE TIMMER REGARDING MINNESOTA JOBS COALITION AND MINNESOTA JOBS COALITION LEGISLATIVE FUND:

The undersigned Chair of the Minnesota Campaign Finance and Public Disclosure Board has made a prima facie determination that the complaint submitted in the aforementioned matter is, in part, sufficient to allege a violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction.

The complaint alleges that the respondents' actions included the following:

1. Minnesota Jobs Coalition exists for the purpose of influencing Minnesota elections, and, as a result, was required to register as a campaign finance reporting entity and failed to do so.
2. Minnesota Jobs Coalition was required to file periodic reports as required by reporting entities and failed to do so.
3. The alleged relationship between Minnesota Jobs Coalition and Minnesota Jobs Coalition Legislative Fund was for the purpose of circumventing the application of the disclosure provisions of Chapter 10A that require attribution of donations to the source of funds.
4. The alleged relationship and transactions between Minnesota Jobs Coalition and Minnesota Jobs Coalition Legislative Fund were for the purpose of circumventing applicable contribution limits provided in Chapter 10A.
5. The relationship between Minnesota Jobs Coalition and Minnesota Jobs Coalition Legislative Fund resulted in the commingling of funds prohibited by Chapter 10A.

**Determination:**

Minnesota Statutes Chapter 10A requires entities that exist for the major purpose of influencing elections to register with and report to the Board. If Minnesota Jobs Coalition exists for the major purpose of influencing elections, as the complaint alleges, it would have an obligation to register and report. Therefore, the complaint alleges a prima facie violation with respect to allegations 1 and 2 above.

Minnesota Statutes Chapter 10A prohibits circumvention of its disclosure requirements by making a contribution in the name of another. If the money was raised in the name of the Minnesota Jobs Coalition and then contributed by Minnesota Jobs Coalition Legislative Fund

for the purpose of avoiding disclosure of the actual sources of funds, a violation of section 10A.29 would result. Therefore, the complaint alleges a prima facie violation with respect to allegation 3 above.

Minnesota Statutes Chapter 10A does not place a limit on contributions to political committees or funds. Therefore, the complaint does not state a prima facie violation with respect to allegation 4 above. The complaint is dismissed with respect to that allegation.

Under any statute that might be applicable, comingling of funds requires at a minimum the sharing of a single depository by two entities or individuals. The complaint does not allege or provide any evidence suggesting that the entities share any accounts and, in fact, merely states that the two associations "may have co-mingled [sic] funds." Therefore, the complaint does not state a prima facie violation with respect to allegation 5 above. The complaint is dismissed with respect to that allegation.

/s/ Deanna Wiener \_\_\_\_\_

Deanna Wiener, Chair  
Campaign Finance and Public Disclosure Board

Dated: 8/15/2014 \_\_\_\_\_