

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF DIANNE MILLER REGARDING CHISAGO LAKES EDUCATION MINNESOTA

On January 29, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Dianne Miller regarding Chisago Lakes Education Minnesota. Chisago Lakes Education Minnesota is an entity not registered with the Board.

The complaint alleges that Chisago Lakes Education Minnesota violated Minnesota Statutes sections 10A.20, subdivision 2, and 211B.04, subdivision 1. The complaint alleges that Chisago Lakes Education Minnesota violated Minnesota Statutes section 10A.20 when it failed to file campaign finance reports in a timely manner after endorsing a candidate for the school board of the Chisago Lakes School District in a special election held November 7, 2023. The complaint also alleges that Chisago Lakes Education Minnesota violated Minnesota Statutes section 211B.04 by including a disclaimer on mailings supporting a bond referendum question and a levy referendum question that identified the entity that caused the material to be prepared or disseminated as “Our schools, Our responsibility,” rather than Chisago Lakes Education Minnesota. To support the allegations, the complainant provided copies of campaign financial reports filed with the Chisago Lakes School District, invoices for printing and mailing services, and pictures of campaign literature allegedly sent by Chisago Lakes Education Minnesota, and other documents related to the school district referendum.

Determination

Minnesota Statutes section 10A.14, subdivision 1 requires registration of a political committee or political fund with the Board in order to receive contributions or make expenditures to influence the election or defeat of a state level candidate, or specified local office candidates in Hennepin County. Minnesota Statutes section 10A.14, subdivision 1a, requires registration of a ballot question committee or ballot question fund in order to receive funds or make expenditures to influence the passage or defeat of a constitutional amendment or specified local referendums in Hennepin County. A committee that is formed to support local candidates, or local referendums outside of Hennepin county, do not register with, or make financial reports to, the Board.

In this matter the local referendums referenced in the complaint occurred in Chisago county, and the candidate referenced in the complaint ran for local office in Chisago county. The Board has no jurisdiction over the timing or completeness of reports submitted by Chisago Lakes Education Minnesota. The complaint therefore does not state a prima facie violation of the reporting requirements of Chapter 10A.

Minnesota Statutes section 211B.04 requires campaign material to include a disclaimer stating who is responsible for the preparation and distribution of the communication. The Board has jurisdiction over this provision only for political committees or political funds required to register with the Board. Because Chisago Lakes Education Minnesota is not required to register with the Board, the Board has no jurisdiction over the disclaimer requirement for their campaign material. The complaint therefore does not state a prima facie violation of the disclaimer requirement.

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. Based on the above analysis, the Chair concludes that the complaint does not state a prima facie violation of Chapter 10A or those sections of Chapter 211B under the Board's jurisdiction. The complaint is dismissed without prejudice.



David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: February 12, 2024