

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF LUKE MIELKE REGARDING GREAT GOVERNANCE FOR KIDS

On October 30, 2024, the Campaign Finance and Public Disclosure Board received a complaint submitted by Luke Mielke regarding Great Governance For Kids. Great Governance For Kids (41327) is an independent expenditure political committee registered with the Board.

The complaint alleges, and Board records confirm, that the 2024 Pre-General Report of Receipts and Expenditures of Great Governance For Kids included a \$20,000 contribution from the Great Governance For Kids Action Fund on October 16, 2024. The Great Governance For Kids Action Fund is not registered with the Board. The complaint alleges that because the Great Governance For Kids Action Fund is not registered with the Board, and because the contribution was for more than \$200, Great Governance For Kids could not accept the contribution without also receiving from the Great Governance For Kids Action Fund an underlying source disclosure statement for unregistered associations pursuant to Minnesota Statutes section 10A.27, subdivision 13, and then filing that statement with its report. The complaint alleges that Great Governance For Kids did not file the required underlying source disclosure statement.

Determination

Minnesota Statutes section 10A.27, subdivision 13, paragraph (a) provides that:

The treasurer of a political committee . . . must not accept a contribution of more than \$200 from an association not registered under this chapter unless the contribution is accompanied by a statement that meets the disclosure and reporting period requirements imposed by section 10A.20. The statement may be a written statement or a government website where the disclosure report for the unregistered association may be viewed. This statement must be certified as true and correct by an officer of the contributing association. The committee, fund, or party unit that accepts the contribution must include a copy of the written statement or website with the report that discloses the contribution to the board.

Minnesota Statutes section 10A.27, subdivision 15, provides that when an association uses general treasury money to make a contribution to an independent expenditure political committee or fund, rather than a general purpose political committee or fund, it may choose not to comply with subdivision 13, and instead provide a disclosure statement that complies with the requirements set forth in subdivision 15. That provision requires that an independent expenditure political committee obtain a disclosure statement from an unregistered association that has contributed more than \$5,000 in aggregate within the calendar year to independent expenditure or ballot question political committees or funds. The statement must include:

the name, address, and amount attributable to each person that paid the association dues or fees, or made donations to the association that, in total,

aggregate more than \$5,000 of the contribution from the association to the independent expenditure or ballot question political committee or fund. The statement must also include the total amount of the contribution attributable to persons not subject to itemization under this section. The statement must be certified as true by an officer of the donor association.

A recipient committee or fund must obtain the disclosure statement from the contributor and then file it with the Board no later than the due date of the report that discloses the contribution in question. Minn. Stat. § 10A.27, subd. 16.

The 2024 pre-general report was due on October 28, 2024. Board records show that Great Governance For Kids filed the pre-general report on October 28, 2024. That same day, the Board received the required underlying source disclosure statement for the contribution from the Great Governance For Kids Action Fund. It takes time for underlying source disclosure statements to be made available on the Board's website as Board staff needs to process the disclosure statements.

Minnesota Rules 4525.0210, subpart 2, states that when making a prima facie determination, "any evidence outside the complaint and its attachments may not be considered." However, Board staff reviews the Board's own records to ensure that the information provided in a complaint is accurate, particularly when a complaint contains factual assertions regarding whether a document was filed with the Board, or the content of a document filed with the Board. In this instance, Board staff reviewed when Great Governance For Kids submitted the required disclosure statement and determined that it was filed on time. Board staff processed the disclosure statement on October 30, 2024, and it was available on the Board's website by that afternoon. The complaint was filed the morning of October 30, 2024, which was before the statement was available on the Board's website. Board records show that Great Governance For Kids provided the required disclosure statement within the time frame required by statute. Therefore, the chair concludes that the complaint does not state a prima facie violation of Minnesota Statutes section 10A.27, subdivisions 13-16.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, this prima facie determination is made by the Board chair and not by any vote of the entire Board. The complaint is dismissed without prejudice.

/s/ David Asp
David Asp, Chair
Campaign Finance and Public Disclosure Board

Date: November 6, 2024