

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

**FINDINGS IN THE MATTER OF A COMPLAINT REGARDING THE COMMITTEE
TO ELECT (KEITH) ELLISON**

Procedural Background

On June 17, 2003, Duane Reed filed a complaint against the Committee to Elect (Keith) Ellison for alleged violations of Minn. Stat. §10A.20, subd. 3 (i).

Mr. Reed alleged that the Committee to Elect (Keith) Ellison failed to disclose two campaign expenditures on the committee's Report of Receipts and Expenditures for calendar year 2002. Specifically, Mr. Reed stated that campaign expenditures for advertisements in Insight News and campaign expenditures for advertisements on KMOJ radio were not listed on the committee's report.

On June 23, 2003, Representative Ellison was notified of the complaint and afforded an opportunity to respond. Representative Ellison responded on July 31, 2003 and stated that he did not place any advertisements with KMOJ Radio and that he is currently repaying Insight News for the cost of the advertisements that he ran in 2002. On August 5, 2003, the Committee to Elect (Keith) Ellison amended its Report of Receipts and Expenditures for calendar year 2002 to disclose a \$4,399.92 unpaid campaign expenditure to Insight News.

On June 26, 2003, and July 19, 2003, the Board requested information from R.C. Williams, Operations Manager of KMOJ Radio. Mr. Williams responded by letter dated September 5, 2003, and stated that KMOJ Radio did not run any ads for the Campaign to Elect Keith Ellison in 2002.

On June 26, 2003, the Board requested information from Al McFarlane, President/CEO, Insight News. Mr. McFarlane responded on July 14, 2003, and stated that the Committee to Elect (Keith) Ellison had an outstanding bill of \$4,399.92 for advertisements in Insight News that ran between September 30, 2002, and November 4, 2002. Mr. McFarlane stated that Insight News billed the committee for these advertisements and expects full payment. Mr. McFarlane further stated that the Committee to Elect (Keith) Ellison did not receive a special rate for these advertisements.

The Board considered this matter in executive sessions on June 25, 2003, August 27, 2003, and September 17, 2003. The Board's decision was based upon the complaint, Representative Ellison's response, Mr. McFarlane's response, Mr. Williams' response and Board records.

Based on the record before it, the Board issues the following:

EVIDENTIARY FINDINGS

1. Minn. Stat. §10A.20, subd. 3 (i), requires that reporting entities disclose the amount and nature of any advance of credit incurred by a reporting entity.

2. The Committee to Elect (Keith) Ellison incurred an advance of credit from Insight News for an unpaid campaign expenditure of \$4,399.92.
3. The Committee to Elect (Keith) Ellison did not disclose the advance of credit from Insight News on its Report of Receipts and Expenditures for calendar year 2002 filed on March 10, 2003.
4. Upon notification of the complaint, the Committee to Elect (Keith) Ellison amended its Report of Receipts and Expenditures for calendar year 2002 to disclose an unpaid bill to Insight News for \$4,399.92.
5. The Complainant provided no evidence substantiating the allegations that the Committee to Elect (Keith) Ellison placed any advertisements with KMOJ radio.

Based on the above Statement of the Evidence, the Board makes the following:

FINDINGS CONCERNING PROBABLE CAUSE

1. There is no probable cause to believe that the reporting violations alleged in the complaint continue to exist. When the Committee to Elect (Keith) Ellison's Report of Receipts and Expenditures for calendar year 2002 was initially filed with the Board, it failed to include all statutorily required disclosure. Pursuant to notice by the Board of the complaint, the committee amended this report to include the Insight News expenditures.
2. There is no probable cause to believe that the Committee to Elect (Keith) Ellison incurred any debt or made any expenditure to KMOJ radio.

Based on the above Findings, the Board issues the following:

ORDER

The complaint regarding undisclosed expenditures to KMOJ is dismissed. The reporting violation in the complaint having been resolved, the Board's investigation of this matter is concluded. The record in this matter and all correspondence is hereby entered in public record in accordance with Minn. Stat. §10A.02, subd. 11.

Board staff shall provide copies of these Findings to Representative Ellison and Mr. Reed.

Dated: _____

Clyde Miller, Chair
Campaign Finance and Public Disclosure Board