

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

**PROBABLE CAUSE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF KEVIN VICK REGARDING EVERYTOWN FOR GUN SAFETY
MINNESOTA:

On November 4, 2014, Kevin Vick filed a complaint with the Minnesota Campaign Finance and Public Disclosure Board regarding Everytown for Gun Safety Minnesota. The complaint, directly or by implication, alleges that the respondent's actions included the following:

- Respondent registered as a political committee or a political fund with the Board on October 22, 2014.
- Beginning on October 21, 2014, and running through November 3, 2014, large campaign contributions exceeding \$1,000 were required by statute to be reported to the Board within 24 hours via the 24 hour notice reporting system.
- On October 24, 2014, another registered political committee, the Public Safety Matters Campaign, reported a \$25,000 contribution from respondent via the Board's 24 hour notice reporting system.
- Respondent received the \$25,000 after it registered on October 22, 2014, a time when the 24 hour notice requirement was in place.
- Respondent failed to file the proper 24 hour notice reports as to the source of the \$25,000 donation.

Minnesota Statutes section 10A.20, subd. 5 states that a contribution of more than \$1,000 received by a political committee between the last day covered in the last report before an election and the election must be reported to the Board within 24 hours after its receipt. The relevant period in this matter ran from October 21, 2014, through November 3, 2014.

On December 22, 2014, Everytown for Gun Safety Minnesota (EGSM) submitted a response in support of the Board finding that probable cause does not exist. The response stated that the \$25,000 contribution to the Public Safety Matters Campaign (PSMC), an independent expenditure political fund, was not from EGSM. The contribution was instead made by Everytown for Gun Safety Action Fund (EGSAF) as permitted by Minn. Stat. § 10A.27, subd. 15(a), which allows an association to contribute its general treasury money to an independent expenditure committee or fund. EGSM is EGSAF's Minnesota political fund. EGSM has a separate bank account, as evidenced by 24 hour notice reports filed by EGSM detailing transfers from the EGSAF account into the EGSM account.

EGSM explained that the complaint's allegations appear to have stemmed from a reporting error made by the recipient committee, PSMC, which reported the contribution as coming from EGSM as opposed to EGSAF on its 24 hour notice report filed with the Board. Bank statements were

provided to the Board to confirm that the contribution was wired from EGSAF's bank account, as opposed to EGSM's bank account.

Findings:

1. On December 5, 2014, the Board Chair made a determination that the complaint stated a prima facie violation of Chapter 10A or of those sections of Chapter 211B under the Board's jurisdiction.
2. The subject \$25,000 contribution was not, in fact, made by EGSM, but was instead made by EGSAF.
3. The PSMC mistakenly reported the contribution as being made by EGSM, as opposed to the association that made the contribution, EGSAF.
4. The PSMC's 24 hour notice report has been amended to clarify the matter and detail that EGSAF is the contributor.

Conclusions:

Probable cause does not exist to believe that the Everytown for Minnesota Gun Safety independent expenditure political fund violated Chapter 10A of the Minnesota Statutes.

Order:

The complaint in the above matter is dismissed.

/s/ George A. Beck

George A. Beck, Chair
Campaign Finance and Public Disclosure Board

1/6/2015

Dated: _____