

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF BRAD ODEGARD REGARDING PROTECT MINNESOTA POLITICAL ACTION FUND:

On May 7, 2019, the Campaign Finance and Public Disclosure Board received a complaint submitted by Brad Odegard regarding Protect Minnesota Political Action Fund. Protect Minnesota Political Action Fund is a political fund registered with the Board. Mr. Odegard's complaint states that Protect Minnesota Political Action Fund was required to file a 2018 year-end report of receipts and expenditures and has failed to do so in violation of Minnesota Statutes section 10A.20.

Determination

Minnesota Statutes section 10A.20, subdivision 2, generally requires that political committees and funds file a report by January 31 that covers the previous year's receipts and expenditures. Board records do not contain a 2018 year-end report from Protect Minnesota Political Action Fund. "An association is not required to file any statement or report for a reporting period when the association accepted no contributions into the association's political fund and made no expenditures from its political fund since the last date included in its most recent filed report." Minn. Stat. § 10A.20, subd. 7a. Protect Minnesota Political Action Fund, as a political fund, would not be required to file a 2018 year-end report if it did not have any contributions or expenditures in 2018 after October 22, 2018, the last date covered by the most recent report it filed with the Board. However, Board records show that two candidates reported receiving contributions from Protect Minnesota Political Action Fund in November 2018, and neither of those contributions were disclosed on the political fund's pre-general report. The chair therefore concludes that the complaint states a prima facie violation of Minnesota Statutes section 10A.20.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (c), this prima facie determination is made by a single Board member and not by any vote of the entire Board. This prima facie determination does not mean that the Board has commenced, or will commence, an investigation or has made any determination of a violation by any of the individuals or entities named in the complaint.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (d), within 45 days of the date of this determination the Board will make findings and conclusions as to whether probable cause exists to believe this matter warrants a formal investigation. The complainant and the respondent named in this prima facie determination will be given an opportunity to be heard by the Board prior to any decision on probable cause.

Until the Board makes a public finding or enters into a conciliation agreement, this matter is subject to the confidentiality requirements of Minnesota Statutes section 10A.022, subdivision 5, paragraph (a).

/s/ Margaret Leppik
Margaret Leppik, Chair
Campaign Finance and Public Disclosure Board

Date: May 10, 2019