

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

**PRIMA FACIE
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF THE 3B HOUSE DISTRICT REPUBLICAN PARTY OF MINNESOTA
REGARDING THE MARY MURPHY VOLUNTEER COMMITTEE

On November 2, 2022, the Campaign Finance and Public Disclosure Board received a complaint submitted by the MN HD3B Republicans regarding the Mary Murphy Volunteer Committee. The Mary Murphy Volunteer Committee is the principal campaign committee of Representative Mary Murphy, a candidate for Minnesota House District 3B.

The complaint alleges that the Murphy committee ran radio advertisements without providing a transcript of the advertisements on the committee's website in violation of Minnesota Statutes section 10A.38. The complaint alleges that the Murphy committee's website did not contain a transcript as of November 1, 2022, and there were radio advertisements for the committee running at that time.

Determination

Minnesota Statutes section 10A.38 states that “[a] campaign advertisement must not be disseminated as an advertisement by radio unless the candidate has posted on the candidate's website a transcript of the spoken content of the advertisement or the candidate has filed with the board before the advertisement is disseminated a statement setting forth the reasons for not doing so.” This requirement applies only to candidates who have signed a public subsidy agreement with the Board.

Board records show that Representative Murphy filed a signed public subsidy agreement with the Board for the 2021-2022 election cycle on January 2, 2021. The complaint alleges that the committee was running radio advertisements on November 1, 2022. Board records confirm that the Murphy committee paid for radio advertisements in 2022. The complaint alleges and provides evidence that the Murphy committee's website¹ does not appear to have any transcripts related to radio advertisements. Further, the Board has no record of a statement from Representative Murphy, setting forth the reasons for not posting a transcript of any radio advertisement on her campaign website. The vice chair therefore concludes that the complaint states a prima facie violation of Minnesota Statutes section 10A.38.


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. This prima facie determination does not mean that the Board has commenced, or will commence, an investigation

¹ marymurphy3b.com

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, within 45 days of the date of this determination, the Board will make findings and conclusions as to whether probable cause exists to believe that the violation alleged in the complaint has occurred and 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.



George W. Soule, Vice Chair
Campaign Finance and Public Disclosure Board

Date: November 9, 2022