

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

**PRIMA FACIE  
DETERMINATION**

IN THE MATTER OF THE COMPLAINT OF NANCY BARSNESS REGARDING THE CITIZENS FOR JEFF BACKER JR HOUSE COMMITTEE AND STATE REPRESENTATIVE JEFF BACKER

On August 9, 2016, the Campaign Finance and Public Disclosure Board received a complaint submitted by Nancy Barsness regarding the Citizens for Jeff Backer Jr House committee and State Representative Jeff Backer. The Citizens for Jeff Backer Jr House committee is the principal campaign committee of Jeff Backer for the seat in the House of Representatives for district 12A.

The complaint alleges the following violations:

1. Rep. Backer distributed campaign literature that did not include the required disclaimer, in violation of Minnesota Statutes section 211B.04; and
2. The campaign literature was mailed using a postal permit paid for by the Minnesota House of Representatives. The committee did not report either an in-kind contribution from the Minnesota House of Representatives for the cost of the postage or an expenditure to the Minnesota House of Representatives to pay for the use of the postal permit. By failing to report the mailing cost for the campaign literature on its 2016 pre-primary-election Report of Receipts and Expenditures the Backer committee is in violation of the reporting requirements in Minnesota Statutes section 10A.20.

**Determination:**

Having reviewed the submissions, the chair makes the determination that the complaint and its attachments state a prima facie allegation of a violation of the aforementioned disclaimer and reporting requirements.

Pursuant to Minnesota Statutes section 10A.022, subdivision 3, paragraph (1), 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 (2), within 45 days of the date of this determination the Board will make findings and conclusions as to whether probable cause exists to believe the violations alleged in the complaint warrant a formal investigation. The complainant and the respondents 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.

/s/ Daniel Rosen \_\_\_\_\_  
Daniel N. Rosen, Chair  
Campaign Finance and Public Disclosure Board

Date: 8/23/2016